

### **REMARKS**

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-22 are pending in the present application. Claims 1, 2, 10-12 and 16-22 stand rejected. Claims 3-9 and 13-15 were withdrawn from consideration as being directed to a non-elected invention.

Applicants would like to thank the Examiner for the courtesies extended to applicants' representative during the telephonic interview conducted on May 20, 2009.

### **Rejection under 35 U.S.C. § 102**

Claims 1, 2, 10-12, 16-18 and 20-22 were rejected under 35 U.S.C. §102(b) as being anticipated by **Shimizu et al.** (US Patent Application Publication 2002/0041239). For the reasons set forth in detail below, this rejection is respectfully traversed.

As will be discussed in detail below, it is submitted that **Shimizu** does not disclose or suggest at least the following features recited in claim 1 (and similar features in method claim 20: "a shooting unit which shoots an object, a position of the object being movable" and "a guide determining unit which determines how the object is to be guided to the expected position...said guide determining unit determines whether the object should be moved close to said shooting unit or away from said shooting unit, by comparing a size of the object in the image shot by said shooting unit and a size of the object represented by the expected shooting state information."

According to the **Shimizu** reference, an object to be shot by a camera is a "target parking position," and the vehicle is not shot by a camera. The vehicle itself is never shot by a camera

from the start to the end of the parking aid sequence. Please note, paragraph [0109] describes that “The back monitor 7 is formed from a camera, such as, for example only, a television camera, mounted on the rear part of the vehicle and takes an image of the area behind the vehicle.” Thus, the camera can not obtain the image of the vehicle itself.

In accordance with the presently claimed invention, an object to be shot by a camera is “an object, a position of the object being movable”, which corresponds to a “vehicle” in the **Shimizu** reference. The shooting device of the present invention continues to obtain the image of the movable object (vehicle), and guides the movable object (vehicle) according to a size of the obtained image of the object (vehicle).

In contrast to the claimed invention, in the **Shimizu** reference, an object which is moved according to the guidance is NOT an object to be shot, but a vehicle that has a camera. On the other hand, in accordance with the claimed invention, an object which is moved according to the guidance is an object to be shot, and the camera is fixed.

Claim 1 recites “said guide determining unit determines whether (1) the object should be moved close to said shooting unit or away from said shooting unit, by comparing a size of (2) the object in the image shot by said shooting unit and a size of the object represented by the expected shooting state information” (the numerical signs (1) and (2) and underlining are added). Claim 20 recites the invention similarly. In the quoted portion of claim 1 above, “(1) the object” and “(2) the object” are the same. That is, the object presented in the obtained image is the same one that is moved according to the guidance. However, unlike the claimed invention, in the **Shimizu**

reference, the object to be shot is the “target parking position” but an object which is moved is the “vehicle”. These two objects are different from each other.

A rejection under §102 requires that each and every element recited in the claim must be disclosed in the prior art reference, and must be arranged as in the claim. It is respectfully submitted that **Shimizu** does not disclose or suggest each and every element recited in claims 1 and 20 arranged as in the claim. Therefore, it is submitted that independent claims 1 and 20, and claims dependent therefrom, patentably distinguish over the **Shimizu** reference. Accordingly, reconsideration and withdrawal of the rejection under §102 are respectfully requested.

#### **Rejection under 35 U.S.C. §103**

Claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over **Shimizu et al.** in view of **Shimazaki et al.** (US Patent Application Publication 2002/0198634).

Initially, it is submitted that **Shimazaki et al.** does not alleviate any of the above-noted deficiencies of **Shimizu**. Claim 19 depends from claim 1. Accordingly, it is submitted that claim 19 patentably distinguishes over the combination of **Shimizu et al.** in view of **Shimazaki et al.** for the same reasons discussed above with respect to independent claim 1 by virtue of its dependency thereon. Accordingly, reconsideration and withdrawal of the rejection of claim 19 under §103 are respectfully requested.

Application No.: 10/784,776  
Art Unit: 2622

Response under 37 C.F.R. §1.111  
Attorney Docket No.: 042090

**CONCLUSION**

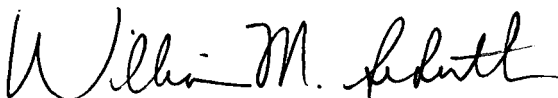
In view of the foregoing, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



William M. Schertler  
Attorney for Applicants  
Registration No. 35,348  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

WMS/ar